

FILED

AO 93 (Rev. 11/13) Search and Seizure Warrant

SEP 23 2019**UNITED STATES DISTRICT COURT****U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS**

for the

Eastern District of Missouri

In the Matter of the Search of)
 (Briefly describe the property to be searched)
 or identify the person by name and address))

Case No. 4:19 MJ 6296 PLC

The premises identified as GoLiveWell Pharmacy located at)
 13035 Olive Blvd, Suite 210, Creve Coeur, MO)
 (See Attachment A))

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search
 of the following person or property located in the EASTERN District of MISSOURI
 (identify the person or describe the property to be searched and give its location):

The premises identified as GoLiveWell Pharmacy located at 13035 Olive Blvd, Suite 210, Creve Coeur, MO 63141.
 (See Attachment A)

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property
 described above, and that such search will reveal (identify the person or describe the property to be seized):

SEE ATTACHMENT B

YOU ARE COMMANDED to execute this warrant on or before October 7, 2019 (not to exceed 14 days)
☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the
 person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the
 property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory
 as required by law and promptly return this warrant and inventory to Honorable Patricia L. Cohen
 (United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C.
 § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose
 property, will be searched or seized (check the appropriate box)

☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of

Date and time issued:

9/23/19 1:57 P.M.

Judge's signature

City and state:

St. Louis, MOHonorable Patricia L. Cohen, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

Photographs of GoLiveWell's office at 13035 Olive Blvd. Suite 210 St. Louis, MO 63141



ATTACHMENT B

Items and Documents to be Seized

For the time period for violations occurring during March 17, 2017 through the date of the execution of any warrant, any and all evidence, fruits, and instrumentalities relating to or involving evidence of violations of 18 U.S.C. §§ 371 (conspiracy); 1341 (mail fraud); 1343 (wire fraud); 1347 (healthcare fraud); 1349 (conspiracy to commit mail fraud, wire fraud, and healthcare fraud); as well as violations of Title 42, United States Code, Section 1320a-7b(b)(2)(A (the Anti-Kickback Statute), including but not limited to the following specific items:

1. Prescription drug dispensing records, including prescriptions, RXD reports, and supporting documentation that involve or refer to the following drugs: Vancomycin, Clindamycin, Ketoconazole, Fluocinonide, Doxepin, Lidocaine Calcipotriene, Diclofenac, Clobetasol, Hydrocortisone, and Chlorzoxazone. For the purposes of this Affidavit, “prescription drug dispensing records” means any evidence that refers or relates to prescription drugs dispensed by GoLiveWell, including but not limited to any prescription drug dispensing records for any beneficiary covered by any publicly funded health care benefit program, including Medicare or any State’s Medicaid program.
2. Prescription drug billing records related to any prescription drugs referenced in #1 of this attachment. For the purposes of this Affidavit, “billing records” means any evidence that relates to any billing, claims, requests or demands for payment from any publicly funded health care benefit program, including Medicare or any State’s Medicaid program, including any evidence related to the collection or attempted collection of copayments from customers or program beneficiaries.
3. Any records related to contracts, arrangements, payments, correspondence, or transactions between GoLiveWell and any sales representative; marketing company, including but not limited to RXD, Invictus Ventures, LLC, Marvel Marketing, DCX Management

Marketing, Global Med Marketing, Inferno Marketing, Kramer Madison, Landfill 2, Physicians Select Marketing, Resolute Consulting Group, Spantel Marketing Group, TB Interests, United Marketing Group, and YS Marketing; or any representative thereof, including but not limited to Bobby Lide, Neil Williams and Sean Beck.

4. Any records related to contracts, arrangements, payments, correspondence, or transactions between GoLiveWell and any telemedicine company, including but not limited to Ostara Healthcare (aka Digital Noema); Camelot Health Care, LLC; and Encore Telemedicine (aka Locum Tenens USA) or any representative thereof.

5. Personnel records for present and former employees, independent contractors and consultants of GoLiveWell, including employment applications, resumes, transcripts, degrees, licenses, certifications, payment records, salary records, compensation records, time sheets, or other documents reflecting who is or was working for or receiving income at GoLiveWell.

6. Records reflecting communication between GoLiveWell and any agency or representative of the federal government, any state government, any prescription drug plan, any Pharmacy Benefit Manager (PBM), any Pharmacy Services Administrative Organization (PSAO) or commercial insurance plan regarding the prescription drugs referenced in paragraph 1, including any contracts, provider enrollment documentation, provider manuals, provider applications, correspondence, communications, letters, educational material, regulatory bulletins, etc.

7. Records reflecting communication between GoLiveWell and any customer, customer's family member, or any representative of a customer regarding any prescription drugs identified in paragraph 1 above that were billed or sent to the customer, including any recordings of conversations between GoLiveWell and said individual(s).

8. Records reflecting communication between GoLiveWell and any marketing company, telemedicine company, prescribing provider, or any representative of the prescribing provider, including any recordings of conversations between GoLiveWell and said individual(s).

9. Any financial institution records showing GoLiveWell receiving funds, either directly or indirectly, from any public health care benefit program (including Medicare, any State's Medicaid program, or CHAMPUS/Tricare) or patient of those programs regarding the distribution of any of the prescription drugs referenced in paragraph 1 above.

10. Any financial institution records that show GoLiveWell paying marketing companies, telemedicine companies, sales representatives, or any third party for leads or other information leading to their dispensation of any prescription drugs referenced in paragraph 1 above, including Bank of America and Silvergate Bank.

11. All business, financial and operational records including all correspondence, memoranda, contracts, agreements, reports of conversation, receipts, invoices, notes, calendars, appointment books or logs, patient appointment books or logs, wage and payroll records/filings, call logs, diaries, ledgers, journals, chart(s) or accounts, receipts and income records, check stubs or registers, financial performance estimates or projections, profit and loss statements, statements of operations, federal and state income tax returns (and related estimates), bank and other financial records/statements, wire transfer records, powers of attorney, sureties and vouchers.

12. Any records regarding the issues discussed above in paragraphs 1-11 of this attachment that can be found on any computers inside the office of GoLiveWell (and any related storage media), and:

- a. For any computer or storage medium whose seizure is otherwise authorized by this warrant, and any computer or storage medium that contains or in which is stored records or information that is otherwise called for by this warrant (hereinafter, "COMPUTER"):
- b. evidence of who used, owned, or controlled the COMPUTER at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence;
- c. evidence of the attachment to the COMPUTER of other storage devices or similar containers for electronic evidence;
- d. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the COMPUTER;
- e. evidence of the times the COMPUTER was used;

- f. passwords, encryption keys, and other access devices that may be necessary to access the COMPUTER;
- g. contextual information necessary to understand the evidence described in this attachment.